

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Matthew McDermott,

Plaintiff,

v.

Hard Beat Communications, Inc.,

Defendant.

Case No.: 1:24-cv-05119-JLR

Hon. Jennifer L. Rochon

PROPOSED DEFAULT JUDGMENT

Upon consideration of the Plaintiff's motion for default judgment under Rule 55.2(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2; and the declaration of plaintiff's counsel Craig B. Sanders and exhibits attached thereto, the Memorandum of Law, the Statement of Damages, and upon all prior papers and proceedings filed herein, ~~it is hereby~~, and for the reasons set forth on the record during the default judgment hearing on January 31, 2025, it is hereby:

ORDERED, ADJUDGED and DECREED that:

1. Default judgment as to liability for copyright infringement under 17 U.S.C. § 501 be entered against defendant Hard Beat Communications, Inc. ("Defendant"); **\$750.00**
2. Defendant is to pay ~~\$30,000.00~~ in statutory damages under 17 U.S.C. § 504(c) for direct copyright infringement; **\$2,500.00**
3. Defendant is to pay ~~\$25,000.00~~ in statutory damages under 17 U.S.C. § 1203(c)(3)(B) for the willful distribution of the Photograph with removed or altered copyright management information; **\$5,040.00**
4. Defendant is to pay ~~\$6,540.00~~ in attorneys' fees and \$460.00 in costs pursuant to 17 U.S.C. § 505;
5. Defendant is to pay post-judgment interest under 28 U.S.C.A. § 1961;

6. The Court retains jurisdiction over any matter pertaining to this judgment; and
7. This case is dismissed and the Clerk of the Court shall close it on the Court docket.

New York, NY

Dated: January 31, 2025

SO ORDERED



Jennifer L. Rochon

United States District Judge